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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,343	07/23/2003	Jeffrey A. Frey	POU999041US2	8592

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HESLIN ROTHENBERG FARLEY & MESITI P.C.
5 COLUMBIA CIRCLE
ALBANY, NY 12203

EXAMINER

ZHEN, LI B

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/625,343	FREY ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13-22 and 24-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13-22 and 24-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/23/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Preliminary Amendment submitted 07/23/2003 have been entered and claims 1,3-11,13-22 and 24-50 are currently pending in the application.

Specification

2. Applicant referred to a plurality of references in the specification: p. 13, lines 17-20; p.14, lines 6-15; p. 15, lines 6-10 and 22-23; p. 16, lines 5-10; p. 54, lines 6-10; p. 64, lines 1-16; p. 65, lines 4-7; and p. 73, lines 11-24. These references are not checked. The examiner requests a copy of the references so that they can be fully considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1,3-11,13-22 and 24-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,802,367 to Held et al. [hereinafter Held] in view of U.S. Patent No. 6,442,620 to Thatte et al. [hereinafter Thatte].**

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5. As to claim 1, Held teaches the invention substantially as claimed including a method of providing access to an object of a computing environment [access either a new object or an existing object of a sharable class or to access a class factory object for instantiating such an object; col. 10, line 34 – col. 11, line 17], the method comprising:

requesting access, by a requester, to an object located in an address space of the computing environment, the requester being resident within the address space [col. 10, lines 62 – 67]; and providing access to the object using a local access proxy [local RPC mechanisms with a server executable or with a surrogate process; col. 10, lines 60 - 67] located within the address space [function determines whether the determined server node is the same as the local node (where the client program 701 is executing) and, if so, continues at step 712, else continues at step 713. In step 712, the function executes analogous steps to steps 717 through 719 to start up the server code locally in a separate process instead of remotely; col. 13, lines 5 – 25].

6. Although Held teaches the invention substantially as claimed, Held does not teach decoupling of one or more object references to the object from management of one or more virtual memory copies of object.

However, Thatte teaches decoupling of one or more object references to the object from management of one or more virtual memory copies of object [data structures of the proxy 186 (FIG. 14) for the server object reference 183 includes a proxy manager 250 to manage the facelets 232-233 for the server object 192; col. 19, lines 30 – 55 and col. 12, line 52 – col. 13, line 30].

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7. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the teaching of decoupling of one or more object references to the object from management of one or more virtual memory copies of object as taught by Thatte to the invention of Held because this allows for automatic services that trigger on calls between contexts and provide extensible domain-specific behaviors in the execution environment [col. 4, lines 27 – 40 of Thatte].

8. As to claim 3, Held as modified teaches the requester is one of another object located within the address space and an object request broker [col. 9, lines 15 – 32 of Thatte].

9. As to claim 4, Held as modified teaches the providing access comprises driving a method on the object [using a local RPC mechanism to the launched surrogate program 723 (or server executable) to invoke the RemCoActivateClass function; col. 14, lines 1 - 10 of Held].

10. As to claim 5, Held as modified teaches creating the local access proxy [class factory object is an object that can be used to create objects of the class corresponding to a particular CLSID; col. 7, lines 32 – 57 of Held].

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11. As to claim 6, Held as modified teaches determining a type of the object being requested; and obtaining an instance of the local access proxy of the type [col. 20, lines 17 – 32 of Thatte].

12. As to claim 7, Held as modified teaches using a local proxy factory to provide the instance of the local access proxy [col. 27, line 65 – col. 28, line 20 of Thatte].

13. As to claim 8, Held as modified teaches providing a pointer of the instance of the local access proxy to the requester, wherein the requester uses the instance of the local access proxy to access the object [client program 601 receives the packet, it unmarshals the pointer and is then able to access the activated object; col. 11, lines 15 – 17 of Held].

14. As to claim 9, Held as modified teaches using, by the local access proxy, a reference to the object to provide access to the object [col. 11, lines 1 – 17 of Held].

15. As to claim 10, Held as modified teaches use of the local access proxy enables the object to be independent of any object references owned by the requester [col. 12, line 52 – col. 13, line 5 of Thatte].

16. As to claim 32, Held as modified teaches the separation results in a life cycle for the object being independent of a life cycle for the one or more object references

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[contexts 140-146 of the component application objects 110-118 in the illustrated environment 100 are immutable during the component application objects' lifetimes; col. 12, lines 22 – 40 of Thatte].

17. As to claim 33, Held as modified teaches the providing comprises the local access proxy communicating with a management agent [wrapper object 230 acts as a proxy manager in the COM RPC Standard Marshaling Architecture to manage the facelets 232-233 and stublets 236-237; col. 17, lines 45 – 66 of Thatte].

18. As to claim 34, Held as modified teaches the communicating comprises communicating prior to the access [client program 601 communicates with the client service control manager 602 through local remote procedure call ("RPC") mechanisms; col. 10, lines 34 – 65 of Held].

19. As to claim 35, Held as modified teaches the communicating comprises communicating after the access [client service control manager 602 communicates directly using local RPC mechanisms with a server executable or with a surrogate process that has loaded the server DLL; col. 10, lines 60 - 67 of Held].

20. As to claim 36, Held as modified teaches the management agent comprises a container [apartment (e.g., apartments 120-123); col. 11, lines 23 – 46 of Thatte].

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21. As to claim 37, Held as modified teaches interposing at least one management policy on the access via the management agent [policies; col. 12, line 52 – col. 13, line 5 of Thatte].

22. As to claims 11, 13 – 20 and 38 – 43, these are system claims that correspond to method claims 1, 3 – 10 and 32 – 37; note the rejection to claims 1, 3 – 10 and 32 – 37 above, which also meet these system claims.

23. As to claims 21 and 50, these are similar in scope to claims 11 and 39 above; therefore, they are rejected for the same reasons as claims 11 and 39 above.

24. As to claims 22, 24 – 31 and 44 – 49, these are product claims that correspond to method claims 1, 3 – 10 and 32 – 37; note the rejection to claims 1, 3 – 10 and 32 – 37 above, which also meet these product claims.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 6,108,715 to Leach et al. teaches a system that allows a client process to invoke a remote procedure.

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U.S. Patent No. 5,987,506 to Carter et al. teaches a system employing a globally addressable storage environment that allows a plurality of networked computers to access data by addressing.


U.S. Patent No. 5,974,566 to Ault et al. teaches a method of enabling persistent access by a web server to files stored in a distributed file system of a distributed computing environment.

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TC 2100
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Li B. Zhen
Examiner
Art Unit 2194